

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORMAN GOTCHER, JR.,)	Case No. 04-02417-TSZ-JPD
)	
Plaintiff,)	
)	
v.)	ORDER DENYING PLAINTIFF'S
)	MOTION TO COMPEL DISCOVERY
KEN RAY, <i>et al.</i> ,)	AND FOR APPOINTMENT OF
)	COUNSEL
Defendants.)	
_____)	

Plaintiff is proceeding *pro se* and *in forma pauperis* in this 42 U.S.C. § 1983 civil rights action. This matter comes before the Court upon plaintiff's motion to compel discovery, Dkt. No. 109, and plaintiff's motion for appointment of counsel, Dkt. No. 110. Because plaintiff has filed similar motions at earlier stages of this case, the Court construes them as motions for reconsideration. Defendants oppose both of these motions. Dkt. No. 111. Having carefully reviewed plaintiff's motions, defendants' response, and the supporting record, the Court ORDERS as follows:

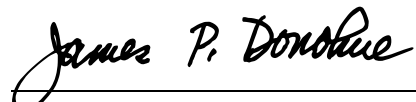
(1) Plaintiff's motions to compel discovery, Dkt. No. 109, and for appointment of counsel, Dkt. No. 110, are DENIED. This is plaintiff's second motion to compel discovery

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01 and, like his earlier motion, was filed more than a month after the discovery deadline. *See*
02 Dkt. No. 6. Similarly, the Court has already considered and denied two motions for
03 appointment of counsel by plaintiff. Dkt. Nos. 34, 104. Motions for reconsideration are
04 disfavored under Local Rule 7(h) and, here, plaintiff has provided no new factual or legal
05 basis for granting either motion. Moreover, it appears that these motions have been
06 strategically filed to delay consideration of defendants' motion for summary judgment.
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08 (2) The Clerk is directed to send a copy of this Order to plaintiff, counsel for the
09 defendants, and to the Honorable Thomas S. Zilly.

10 DATED this 2nd day of September, 2005.

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13 JAMES P. DONOHUE
14 United States Magistrate Judge
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